(23)m

## UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

JAMES LEE WAGNER,

Plaintiff

CIVIL NO. 1:CV-00-1290

 $\nabla$  .

(Judge Kane)

FILED

WILLIAM F. WARD, ET AL.,

:

HARRISBURG, PA

Defendants

NOV 1 5 2001

ORDER

MARY E. DANDREA, CLERK Per Deputy Clerk

AND NOW, THIS

---DAY O

OF NOVEMBER, 2001, upon

consideration of the fact that on November 6, 2001, plaintiff filed his brief in opposition to defendants' pending motion to dismiss, and the court considers it timely filed, IT IS HEREBY ORDERED THAT plaintiff's motion for enlargement of time (Doc. No. 25), within which to file his brief in opposition is dismissed as moot.

YVETTE KANE

United States District Judge

YK:dlb

## UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

\* \* MAILING CERTIFICATE OF CLERK \* \*

November 15, 2001

Re: 1:00-cv-01290 Wagner v. Ward

True and correct copies of the attached were mailed by the clerk to the following:

James Lee Wagner SCI-R SCI at Rockview BK-5396 P.O. Box A Bellefonte, PA 16823

Patrick S. Cawley, Esq. Office of Attorney General 15th Floor, Strawberry Square Harrisburg, PA 17120

| cc:                     |          |  |
|-------------------------|----------|--|
| Judge                   |          | ( Pro Se Law Clerk                             |
| Magistrate Judge        | ( )      | ( ) INS  |
| U.S. Marshal            | i        | ( ) Jury Clerk                                 |
| Probation               | , ;      | ( ) dary droin                                 |
| U.S. Attorney           | ·        |  |
| Atty. for Deft.         | , ;      |  |
| <u> </u>                | ( )      |  |
| Defendant               | ( )      |  |
| Warden                  | ( )      |  |
| Bureau of Prisons       | ( )      |  |
| Ct Reporter             | ( )      |  |
| Ctroom Deputy           | (        |  |
| Orig-Security           | ( )      |  |
| Federal Public Defender | ( )      |  |
| Summons Issued          | ( )      | with N/C attached to complt. and served by:    |
|                         |          | U.S. Marshal ( ) Pltf's Attorney ( )           |
| Standard Order 93-5     | ( )      |  |
| Order to Show Cause     | ( )      | with Petition attached & mailed certified mail |
|                         |          | to: US Atty Gen ( ) PA Atty Gen ( )            |
|                         |          | DA of County ( ) Respondents ( )               |
| Bankruptcy Court        | ( )      |  |
| Other                   | (        |  |
|                         | <u> </u> | MARY E. D'ANDREA, Cler                         |

11-15-01